IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR
S.B. Civil Writ Petition No.6678/07
Prakash Chand Jain Vs. Distt. Collector,
Sawaimadhopur & Ors.

30.08.2007

Hon'ble Mr. Justice Mohammad Rafiq

Shri J.P. Goyal for petitioner.

Heard learned counsel for the petitioner.

The petitioner has challenged the order dated 27.2.2007 whereby the District Collector, Sawaimadhopur in revision petition filed by the private respondent no.4 while setting aside the order of Standing Committee of Panchayat Samiti Bundi has remanded the matter back to the Gram Panchayat for deciding it afresh. It has been directed by the District Collector that in view of the rival claims of various parties, the

application submitted by Sonya Mali on 5.6.1978 should be taken for reconsideration by Gram Panchayat and whatever developments have taken place subsequent thereto, should be considered by Gram Panchayat and on that basis after hearing the contesting parties, the issue with regard to their legal title should be decided afresh. Based on such decision, Gram Panchayat should get the approval of the competent authority as per Section 156 of Rajasthan Panchayati Raj Act, 1954 and thereafter release the amount as per the current market price for transferring title of the land in favour of the person who is found best entitled and on that basis handover possession thereof to him.

Having heard the learned counsel

for the petitioner, I find that the order passed by the District Collector is quite comprehensive / detailed one. Petitioner claims to have purchased the disputed land from Sonya Mali and also claims to be in possession of the same. Although it has been specifically directed by District Collector but it is again clarified that the petitioner shall be heard by the Gram Panchayat before arriving at any decision in regard to the disputed land. Petitioner shall also be free to agitate all those grounds and arguments which he has raised in support of this petition.

With these observations, the writ petition is disposed of.

(Mohammad Rafiq),J.

Rs/-